

UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF CALIFORNIA

JAMES EDWARD BATES, JR.,

Plaintiff,

v.

COMMISSIONER OF SOCIAL
SECURITY,

Defendant.

No. 2:23-cv-01209-AC

ORDER GRANTING IFP AND
DIRECTING E-SERVICE

Pending before the court is plaintiff's motion for leave to proceed in forma pauperis. See 28 U.S.C. § 1915 (authorizing the commencement of an action "without prepayment of fees or security" by a person that is unable to pay such fees).¹ ECF No. 2. Plaintiff submitted the required affidavit, which demonstrates an inability to prepay fees and costs or give security for them. Accordingly, IT IS HEREBY ORDERED that:

1. Plaintiff's request to proceed in forma pauperis (ECF No. 2) is GRANTED;
2. The Clerk of Court is directed to issue a summons for this case;
3. In keeping with the court's e-service procedure for Social Security cases,² service

¹ Actions involving review of Social Security decisions are referred to a magistrate judge pursuant to 28 U.S.C. § 636(b)(1) and E.D. Cal. L.R. 302(c)(15).

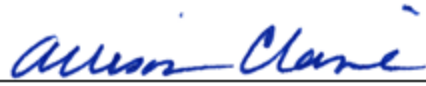
² <http://www.caed.uscourts.gov/caednew/index.cfm/news/new-social-security-case-procedures-effective-after-june-15-2021/>

1 on the defendant Commissioner of Social Security Administration shall proceed
2 under the court's E-Service program as follows. Once a summons is issued, the
3 Clerk of Court shall deliver to the Commissioner of Social Security
4 Administration and the United States Attorney's Office at their designated email
5 addresses a notice of electronic filing of the action along with the summons and
6 complaint. The Commissioner has agreed not to raise a defense of insufficient
7 service of process if provided with notice of a complaint as detailed in this order.
8 This order is not intended to prevent parties from making any other motions that
9 are appropriate under the Federal Rules of Civil Procedure; and

10 4. The Clerk of Court is DIRECTED to issue a scheduling order in this case.

11 IT IS SO ORDERED.

12 DATED: June 26, 2023

13 
14 ALLISON CLAIRE
15 UNITED STATES MAGISTRATE JUDGE
16
17
18
19
20
21
22
23
24
25
26
27
28